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EXAMINER

WORJLOH, JALATEE

ART UNIT	PAPER NUMBER
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3621

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/641,896

Applicant(s)

PINNELL, NIGEL

Examiner

Jalatee Worjloh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

1. This Office Action is responsive to the amendment filed on February 4, 2003, in which claim 58 was added.

Response to Arguments

2. Applicant's arguments filed on February 4, 2003 have been fully considered but they are not persuasive.

Applicant argues that Bartoli et al. do not disclose the claimed invention; however, the examiner disagrees. Although, Bartoli et al.'s system utilizes a cookie and an intermediary, the transaction system teaches the features/limitations of claims 1-5, 8-11, 15-17, 23, 24, 29, 30, 38-45, 56 and 57. For instance, as per Bartoli et al.'s system, when a user access the Internet for online purchasing, the "user fills in the order form, optionally may select a billing method and submits the tentative order back to the merchant" (see col. 8, lines 13-26). This step is identical to the step of "receiving details for the on-line transaction with the vendor from a customer, receiving a nomination of a source of funds for the transaction for the customer" as claimed by Applicant. Further, such similarity is also found with the other limitations. Thus, the 102(e) rejections as applied to claims 1-5, 8-11, 15-17, 23, 24, 29, 30, 38-45, 56 and 57 remains.

Applicant argues that Bartoli et al. in view of Leher et al. do not teach or suggest the claimed invention; however, the examiner disagrees. As stated in the previous Action, Bartoli et al.'s system allows the customer to select billing method (i.e. "nomination of a source of funds"). Bartoli et al. do not explicitly disclose receiving the nomination of the source of funds from among a plurality of nomination options consisting of at least one of a credit card account, a

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checking account and a saving account. However, to overcome the deficiency of Bartoli et al. system Leher et al. reference was used which teaches the above step (see pg. 40, lines 21-27; pg. 41, lines 1-2). Leher et al. transaction system comprises a consumer information mode to “permit the consumer to store, **retrieve**, display and edit consumer information” (see pg. 39, lines 25-26). One of ordinary skill in the art would have been motivated to modify Bartoli et al.’s system because doing so permits the user to retrieve and edit consumer information; thus, allowing the customer to control his account.

Applicant argues that Bartoli et al. in view of Tedesco et al. do not teach or suggest verifying the availability of funds for a payment amount for the transaction in the nominated source of funds including reserving funds sufficient for the payment amount in the nominated source of funds for a predetermined expiry period; however, the examiner disagrees. Note. Bartoli et al. disclose verifying the availability of funds (see col. 7, lines 18-25), and Tedesco et al. disclose reserving funds for a checking account for an expiration date or presentment period. Thus, Applicant states that the nomination options include a credit card account, a checking account or a saving account. Notice, Tedesco et al.’s system reserves funds in a checking account. Therefore, Bartoli et al. in view of Tedesco teach the step of verifying the availability of funds for a payment amount for the transaction in the nominated source of funds including reserving funds sufficient for the payment amount in the nominated source of funds for a predetermined expiry period.

Further, to avoid a verbose response, the examiner did not specifically address arguments regarding Van Horne et al., Mori et al., Wolff, Moore, Franklin et al, Adams, and Tsakanikas. Overall, Applicant defines the features of these secondary references and differentiates the

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features taught by the references that are not elements of his invention. Then, Applicant generally mentions that his invention is not taught. However, although these secondary references teach an additional concept, the elements of Applicant's claims are also taught. These secondary references disclose the features/limitation of Applicant's invention and were used to overcome the deficiencies of Bartoli et al. Thus, the previous Office Action provides reasonable motivations for combining these references to Bartoli et al. Therefore, all arguments were considered but do not overcome the 103 rejections.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 8-11, 15-17, 23, 24, 29, 30, 38-45, 56 and 57 are rejected under 35

U.S.C. 102(e) as being anticipated by US Patent No. 6047268 to Bartoli et al.

Bartoli et al. disclose receiving details for the on-line transaction with the vendor from a customer, receiving a nomination of a source of funds for the transaction for the customer (see col. 8, lines 22-26), verifying an availability of funds for a payment amount for the transaction in the nominated source of funds (see col. 7, lines 18-15), generating details of a payment instrument for the transaction corresponding to the transaction details (see col. 8, lines 29-33),

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providing the customer with the payment instrument details for use in the transaction with the vendor, receiving a request for authorization of the transaction for the customer according to the payment instrument details, authorizing the transaction with the vendor for the customer (see col. 8, lines 33-38). As for storing a record of the payment instrument details, this is an inherent step.

Referring to claim 2, Bartoli et al. disclose receiving information about a payment amount for the transaction (see col. 8, lines 29-38).

Referring to claims 3-5, Bartoli et al. disclose receiving the transaction details by a home banking server (i.e. "billing system") from a computing device of the customer over a network or global network (see col. 7, lines 7-14; col. 3, lines 65-67).

Referring to claims 8-10, Bartoli et al. disclose receiving the nomination of the source of funds by a home banking server from a computing device of the customer over a network or over a global network (see col. 8, lines 22-25, 29-44; col. 3, lines 65-67).

Referring to claim 11, Bartoli et al. disclose verifying the availability of funds for the transaction payment amount in the nominated source of funds by a home banking server (see col. 7, line 18-25).

Referring to claims 15-17, Bartoli et al. disclose generating the details of the payment instrument specific to the transaction, generating the details for the payment instrument consisting of at least the payment amount for the transaction and an unique identification number for the transaction or a fabricated card expiration date (see col. 8, lines 29-33). As per claim 17, Bartoli et al. do not expressly state of a fabricated card expiration date, but indicates that the merchant constructs various transaction information including the payment amount, unique ID

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number and “optional other order data”. The examiner presumes that the “optional other data may include the fabricated card expiration date.”

Referring to claims 23 and 24, Bartoli et al. disclose providing the customer with the payment instrument details consisting of at least the payment amount for the payment instrument and a unique transaction identification number for the payment instrument or a fabricated card expiration date (see col. 8, lines 29-37). As per claim 24, Bartoli et al.’s system provides the customer with various transaction information including the payment amount, unique identification number and “optional other data”. The examiner presumes that the “optional other data” may include the fabricated card expiration date.

Referring to claim 29 and 30, Bartoli et al. disclose receiving the request for authorization according to the payment instrument details consisting of at least the payment amount for the payment instrument and a unique transaction identification number of the payment instrument and receiving the request for authorization according to the payment instrument details including a predetermined expiry for the payment instrument (see col. 8, lines 30-38). As per claim 30, Bartoli et al.’s system comprising the step of receiving the request for authorization including the payment amount, a unique transaction identification and “optional other data”. The examiner presumes that the “optional other data” may include a predetermined expiry for the payment instrument.

Referring to claim 38, Bartoli et al. disclose means for receiving details for the on-line transaction with the vendor from a customer, means for receiving a nomination of a source of funds for the transaction for the customer (see col. 8, lines 22-26), means for verifying an availability of funds for a payment amount for the transaction in the nominated source of funds

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(see col. 7, lines 18-15), means for generating details of a payment instrument for the transaction corresponding to the transaction details (see col. 8, lines 29-33), means for storing a record of the payment instrument details, means for providing the customer with the payment instrument details for use in the transaction with the vendor, means for receiving a request for authorization of the transaction for the customer according to the payment instrument details, means for authorizing the transaction with the vendor for the customer (see col. 8, lines 33-38; col. 5, lines 45-47).

Referring to claims 39-41, Bartoli et al. disclose means receiving the transaction details further comprises a home banking server (i.e. "billing system"); the home banking server coupled to a computing device of the customer over a network or a global network (see col. 7, lines 7-14; col. 3, lines 65-67).

Referring to claims 42-44, Bartoli et al. disclose means for receiving the nomination further comprises the home banking server coupled to a computing device of the customer over a network or a global network (see col. 8, lines 22-25, 29-44; col. 3, lines 65-67).

Referring to claim 45, Bartoli et al. disclose means for verifying the availability comprises a home banking server (see col. 7, line 18-25).

Referring 56, Bartoli et al. disclose receiving details for the on-line transaction with the vendor from a customer, receiving a nomination of a source of funds for the transaction for the customer (see col. 8, lines 22-26), verifying an availability of funds for a payment amount for the transaction in the nominated source of funds (see col. 7, lines 18-15), generating details of a payment instrument for the transaction specific to the transaction corresponding to the transaction details and consisting of at least the payment amount for the transaction and a unique

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identification number for the transaction (see col. 8, lines 29-33), providing the customer with the payment instrument details for use in the transaction with the vendor, receiving a request for authorization of the transaction for the customer according to the payment instrument details, authorizing the transaction with the vendor for the customer (see col. 8, lines 33-38). As for storing a record of the payment instrument details, this is an inherent step. As per the unique identification number, Bartoli et al. do not clearly disclose the identification number embedded with a bank identification number; however, Bartoli et al. disclose the merchant constructing various transaction data including the payment amount, unique identification number and “optional other order data”. The examiner presumes that the “optional other order data” may include a unique identification number with embedded with a bank identification number for routing the request for authorization to an authorization server.

Bartoli et al. disclose receiving details for the on-line transaction with the vendor from a customer, receiving a nomination of a source of funds for the transaction for the customer (see col. 8, lines 22-26), verifying an availability of funds for a payment amount for the transaction in the nominated source of funds (see col. 7, lines 18-15), generating details of a payment instrument for the transaction specific to the transaction corresponding to the transaction details and consisting of at least the payment amount for the transaction and a unique identification number for the transaction (see col. 8, lines 29-33), providing the customer with the payment instrument details for use in the transaction with the vendor, receiving a request for authorization of the transaction for the customer according to the payment instrument details, authorizing the transaction with the vendor for the customer (see col. 8, lines 33-38). As for storing a record of the payment instrument details, this is an inherent step. As per the unique identification number,

Bartoli et al. do not clearly disclose the unique identification number selected from a characteristic range of number identifiable by a website serve of the vendor as an authenticating number, but, Bartoli et al. disclose the merchant constructing various transaction data including the payment amount, unique identification number and "optional other order data". The examiner presumes that the "optional other data" may include one selected from a characteristic range of number identifiable by a website serve of the vendor as an authenticating number.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 1 above, and further in view of International Publication No. WO 95/26536 to Leher et al.

Bartoli et al. disclose receiving the nomination of a source of funds for the transaction for the customer (see col. 8, lines 22-26). Bartoli et al. do not expressly disclose receiving the nomination of the source of funds from among a plurality of nomination options consisting of at least one of a credit card account, a checking account, and a saving account. Leher et al. disclose receiving the nomination of the source of funds from among a plurality of nomination options consisting of at least one of a credit card account, a checking account, and a saving account (see

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pg. 40, lines 21-27; pg. 41, line 1-2). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. include the step of receiving the nomination of the source of funds from among a plurality of nomination options consisting of at least one of a credit card account, a checking account, and a saving account. One of ordinary skill in the art would have been motivated to do this because doing so allows the customer to control his account.

7. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 1 above, and further in view of U.S. Patent No. 6282523 to Tedesco et al.

Bartoli et al. disclose verifying an availability of funds for a payment amount for the transaction in the nominated source of funds (see col. 7, lines 18-25). Bartoli et al. do not expressly disclose reserving funds sufficient for the payment amount in the nominated source of funds for a predetermined expiry period by a home banking server. Tedesco et al. disclose reserving funds sufficient for the payment amount in the nominated source of funds for a predetermined expiry period by a home banking server (see col. 5, lines 48-67). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. to include the step of reserving funds sufficient for the payment amount in the nominated source of funds for a predetermined expiry period by a home banking server. One of ordinary skill in the art would have been motivated to do this because it ensures available funds for authorized transactions.

8. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 1 above, and further in view of U.S. Patent No. 6073839 to Mori et al.

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Bartoli et al. disclose generating details of a payment instrument for the transaction corresponding to the transaction details (see col. 8, lines 29-33). Bartoli et al. do not expressly disclose generating the details of the payment instrument specific to the transaction by a home banking server. Mori et al. disclose generating the details of the payment instrument specific to the transaction by a home banking server (see col. 16, lines 27-29). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. include the step of generating the details of the payment instrument specific to the transaction by a home banking server. One of ordinary skill in the art would have been motivated to do this because servers usually manage and maintain the system's resources and files.

9. Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 1 above, and further in view of European Patent No. EP 0 899 925 to Van Horne.

Bartoli et al. disclose storing a record of the payment instrument details. Bartoli et al. do not expressly disclose storing the record of the payment instrument details consisting of at least the payment amount for the payment instrument and a unique transaction identification number for the payment instrument or a fabricated card expiration date in a database of at least one of a home banking server and a credit card authorization server. Van Horne et al. disclose storing the record of the payment instrument details consisting of at least the payment amount for the payment instrument and a unique transaction identification number for the payment instrument or a fabricated card expiration date in a database of at least one of a home banking server and a credit card authorization server (see section [0093]). At the time the invention was made, it

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would have been obvious to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. to include the step of storing the record of the payment instrument details consisting of at least the payment amount for the payment instrument and a unique transaction identification number for the payment instrument or a fabricated card expiration date in a database of at least one of a home banking server and a credit card authorization server. One of ordinary skill in the art would have been motivated to do this because a database organizes information for quick and easy retrieval.

10. Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 24 above, and further in view of U.S. Patent No. 6247047 to Wolff.

Bartoli et al. disclose providing the customer with the payment instrument details for use in the transaction with the vendor (see col. 8, lines 33-38). Bartoli et al. do not expressly disclose providing the customer with the payment instrument details by a home banking server coupled to a computing device of the customer over a network or global network. Wolff discloses providing the customer with the payment instrument details by a home banking server coupled to a computing device of the customer over a network or global network (see col. 8, lines 65-67; col. 9, lines 1-15; abstract, lines 1-3). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. to include the step of providing the customer with the payment instrument details by a home banking server coupled to a computing device of the customer over a network or global network. One of ordinary skill in the art would have been motivated to do this because the network allows the customer to receive payment instrument details from a remote location.

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11. Claims 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 30 above, and further in view of U.S. Patent No. 6330575 to Moore et al.

Bartoli et al. disclose receiving a request for authorization of the transaction for the customer according to payment instrument details (see col. 8, lines 33-38). Bartoli et al. do not expressly disclose receiving the request for authorization by a credit card authorization server from a website server of the vendor via a credit card acquirer service of the vendor. Moore et al. disclose receiving the request for authorization by a credit card authorization server from a website server of the vendor via a credit card acquirer service of the vendor (see col. 5, lines 11-26). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. to include the step of receiving the request for authorization by a credit card authorization server from a website server of the vendor via a credit card acquirer service of the vendor. One of ordinary skill in the art would have been motivated to do this because this is a common authorization procedure.

12. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 1 above, and further in view of US Patent No. 5883810 to Franklin et al.

Bartoli et al. disclose receiving a request for authorization of the transaction for the customer according to payment instrument details (see col. 8, lines 33-38). Bartoli et al. do not expressly disclose authorizing the transaction if the request for authorization according to the payment instrument details corresponds to the stored record of the payment instrument details. Franklin et al. disclose authorizing the transaction if the request for authorization according to the payment instrument details corresponds to the stored record of the payment instrument details (see col. 9, lines 30-42). At the time the invention was made, it would have been obvious

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to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. to include the step of authorizing the transaction if the request for authorization according to the payment instrument details corresponds to the stored record of the payment instrument details. One of ordinary skill in the art would have been motivated to do this because it provides security by preventing fraud.

13. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 1 above, and further in view of European Patent No. 0 485 090 A 2 to Adams.

Bartoli et al. disclose receiving a request for authorization of the transaction for the customer according to payment instrument details (see col. 8, lines 33-38). Bartoli et al. do not expressly disclose authorizing the transaction upon receiving the request for authorization before a predefined expiry of the payment instrument. Adams et al. disclose authorizing the transaction upon receiving the request for authorization before a predefined expiry of the payment instrument (see col. 6, lines 15-21). One of ordinary skill in the art would have been motivated to do this because it ensures that the payment instrument is valid.

14. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 1 above, and further in view of US Patent No. 5570465 to Tsakanikas.

Bartoli et al. disclose receiving a nomination of a source of funds for the transaction for the customer (see col. 8, lines 22-26). Bartoli et al. do not expressly disclose debiting the nominated source of funds for the payment amount. Tsakanikas discloses debiting the nominated source of funds for the payment amount (see col. 12, lines 6-11). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. to include the step of debiting the nominated source of funds

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for the payment amount. One of ordinary skill in the art would have been motivated to do this because it ensures that the merchant is paid for the transaction.

15. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 1 above, and further in view of "Embedded SQL in RPG" by Cozzi.

Bartoli et al. disclose storing payment instrument details. Bartoli et al. do not expressly disclose removing the stored record of payment instrument details. Cozzi et al. disclose removing stored database record (see abstract). Note. The examiner presumes that the stored database record may contain any data, including a record of payment instrument details. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Bartoli et al. to include the step of removing the stored record of payment instrument details. One of ordinary skill in the art would have been motivated to do this because it creates more storage space (in the database).

16. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 38 above, and further in view of U.S. Patent No. 6073839 to Mori et al.

Bartoli et al. disclose means for generating details of a payment instrument for the transaction corresponding to the transaction details (see col. 8, lines 29-33; col. 5, lines 45-47). Bartoli et al. do not expressly disclose means for generating the details further comprises a home banking server. Mori et al. disclose means for generating the details further comprises a home banking server (see col. 16, lines 27-29). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Bartoli to include means for generating the details further comprises a home banking server. One of

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ordinary skill in the art would have been motivated to do this because servers usually manage and maintain the system's resources and files.

17. Claims 47 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 38 above, and further in view of European Patent No. EP 0 899 925 to Van Horne.

Bartoli et al. disclose storing a record of the payment instrument details. Bartoli et al. do not expressly disclose storing the record of the payment instrument further comprises a database of at least one of a home banking server and a credit card authorization server. Van Horne et al. disclose storing the record of the payment instrument further comprises a database of at least one of a home banking server and a credit card authorization server (see section [0093]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Bartoli et al. to include a database of at least one of a home banking server and a credit card authorization server. One of ordinary skill in the art would have been motivated to do this because a database organizes information for quick and easy retrieval.

18. Claims 49-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 38 above, and further in view of U.S. Patent No. 6247047 to Wolff.

Bartoli et al. disclose means for providing the customer with the payment instrument details for use in the transaction with the vendor (see col. 8, lines 33-38; col. 5, lines 45-47). Bartoli et al. do not expressly disclose means for providing the customer with the payment instrument details comprises a home banking server coupled to a computing device of the customer over a network or global network. Wolff discloses means for providing the customer with the payment instrument details comprises a home banking server coupled to a computing

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device of the customer over a network or global network (see col. 8, lines 65-67; col 9, lines 1-15; abstract, lines 1-3). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the step disclose by Bartoli et al. to include means providing the customer with the payment instrument comprising a home banking server coupled to a computing device of the customer over a network or global network. One of ordinary skill in the art would have been motivated to do this because the network allows the customer to receive payment instrument details from a remote location.

19. Claims 53-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. as applied to claim 38 above, and further in view of U.S. Patent No. 6330575 to Moore et al.

Bartoli et al. disclose means for receiving a request for authorization of the transaction for the customer according to payment instrument details (see col. 8, lines 33-38; col. 5, lines 45-47). Bartoli et al. do not expressly disclose means for receiving the request for authorization further comprises a credit card authorization server coupled to a credit card acquirer service of the vendor, or means for receiving comprises a website server of the vendor coupled to the credit card acquirer service of the vendor. Moore et al. disclose means for receiving the request for authorization further comprises a credit card authorization server coupled to a credit card acquirer service of the vendor, or means for receiving comprises a website server of the vendor coupled to the credit card acquirer service of the vendor (see col. 5, lines 11-26). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Bartoli et al. to means for receiving the request for authorization further comprises a credit card authorization server coupled to a credit card acquirer service of the vendor, or means for receiving comprises a website server of the vendor coupled to the credit

card acquirer service of the vendor. One of ordinary skill in the art would have been motivated to do this because this is a common architecture for authorization system.

20. Claim 58 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6327578 to Linehan in view of Bartoli et al.

Linehan discloses receiving details for a customer-specified on-line transaction with a vendor by a financial institution server from a computing device of the customer via a network, together with a nomination of a source of funds for the transaction; verifying an availability of funds for a payment amount for the specific transaction in the nominated source of funds by the financial institution server; generating details of a payment instrument for the specific transaction corresponding to the transaction details consisting at least I part of the payment amount for the transaction, a temporary credit card number by the financial institution server processable via a credit card transaction processing system; storing a record of the payment instrument details in a database by the financial institution server; providing the customer with the payment instrument details for use in the specific transaction with the vendor by the financial institution server, receiving a request for authorization of the specific transaction for the customer according to the payment instrument details from the vendor; and authorizing the transaction with the vendor for the customer if the request for authorization corresponds to the payment instrument details (see col. 4, lines 10-56; col. 9, lines 59-63; col. 10, lines 49-67). Linehan does not expressly disclose nomination of a source of funds for the transaction or a fabricated card expiration date. Bartoli et al. disclose receiving a nomination of a source of funds for the transaction for the customer (see col. 8, lines 22-26) and generating the details of the payment instrument consisting of at least the payment amount for the transaction and a fabricated card expiration date (see col. 8, lines 29-33).

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As per the fabricated card expiration date, Bartoli et al. indicates that the merchant constructs various transaction information including the payment amount, unique ID number and "optional other order data". The examiner presumes that the "optional other data" may include the "fabricated card expiration date." At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Linehan to include the step of receiving a nomination of a source of funds for the transaction and generating details for the payment instrument consisting of a fabricated card expiration date. One of ordinary skill in the art would have been motivated to do this because it allows the customer to control his account and prevents unauthorized users form utilizing the cardholder's account.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- UK Patent No. GB2333878 to Slater discloses a method of performing an online transaction using card information and PIN.

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

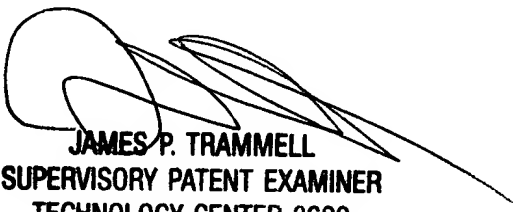
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications, 703-746-9443 for Non-Official/Draft and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to: **Commissioner of Patents and Trademarks, Washington, DC 20231.**

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, V.A., Seventh floor receptionist.

February 19, 2003


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600